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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **ANDREW J. TOTI**

Application Serial No.: **10/693,263**

Filing Date: **10/23/2003**

For: **CONTROL ROD MECHANISM AND SYSTEM**

Attorney Docket: **50534.3**

Examiner:
Hansen, Colby M.

Art Unit: **3682**

CORRECTION OF ERROR IN SMALL ENTITY STATUS UNDER 37 CFR 1.28(c) and MPEP 509.03

Commissioner for Patents
PO Box 1450,
Alexandria VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify this correspondence is being deposited with the U. S. Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA, 22313-1450, on July 5, 2005.

Philip A. Dalton 7/5/05

Philip A. Dalton (Person signing Certificate)

Sir:

At the time the above-identified patent application was filed, on 10/23/2003, the status as a small entity was established in good faith and the associated small entity fees were subsequently paid in good faith. It has been determined that such establishment and such payment were in error.

This communication and payment are submitted in compliance with the separate submission and itemization requirements of paragraph 37 CFR 1.28(c)(1) and 37 CFR 1.28(c)(2) and the deficiency payment requirement of paragraph 37 CFR 1.28(c)(2).

07/12/2005 MAHME1 00000076 040039 10693263

10	01 FC:1001	254.00 DA	536.00 OP
30	02 FC:1051	130.00 DA	
60	03 FC:1201	400.00 DA	

CALCULATION OF FEE DEFICIENCY OWED

Type of fee	Large entity fee	Fee paid 3/1804	Deficiency owed
Basic filing fee	790.00	385.00	405.00
Surcharge	130.00	65.00	65.00
2 independent claims in excess of 3	400.00	86.00	314.00
Total	1320.00	536.00	784.00

Payment date: 07/12/2005 MAHME1
24/2004 SDENBOB1 00000087 10693263

FC:2001
FC:2051
-385.00 OP
-65.00 OP

FC:2201

-86.00 OP

USSN: 10/693,263
Art Unit: 3682
Examiner: Hansen, Colby M.

CORRECTION...SMALL ENTITY STATUS

Dated: 07/05/2005

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Please note, the above-listed large entity fee entries are the larger of (1) the large entity fees obtained on June 30, 2005 from the USPTO web site and (2) the large entry fees listed in the Notice to File Missing Parts dated 01/23/2004 for the present application.

Also, the above-listed small entity fees were paid under cover of a letter to the Commissioner for Patents dated 03/18/2004 (March 18 2004), and that letter included a Certificate of Mailing dated 03/18/2004, which date is within the unextended two month period for response established by the 01/23/2004 Notice to File Missing Parts. Thus, no extension of time was required in paying the filing fees.

PAYMENT OF FEE DEFICIENCY OWED

Please charge the above total fee deficiency owed of \$784.00, along with any deficiency in this fee, and any additional fee, and credit any excess, to the undersigned's deposit account 04-0039 (ref. 50534.3).

Respectfully submitted,
LAW OFFICE OF PHILIP A. DALTON

Date: July 5, 2005

By Philip A. Dalton 7/5/05
Philip A. Dalton
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